

Agreement between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting

Basic Instrument

Agreement between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting (TIAS 08-635)

Implementing Legislation

Implementing legislation was signed on January 12, 2007, as Title VI of Public Law 109-479.

Parties

The United States and Canada

Description

The Agreement was signed on November 21, 2003. The U.S. Senate gave its advice and consent to the Agreement, and Congress approved H.R. 5946 on December 7, 2006. The President signed H.R. 5946 into law (Public Law 109-479) on January 12, 2007, and signed the instrument of ratification for the Agreement on May 3, 2007. The Agreement entered into force on June 25, 2008, with the exchange of diplomatic notes with Canada. However, implementation of the agreement was delayed because there were errors in the implementing legislation concerning conflict of interest provisions for panel members and the correct number of members on the Joint Technical committee. These errors were corrected with approval of Public Law 111-348, which was signed into law on January 4, 2011. The 2012 whiting season was the first year that the whiting/hake harvest levels were established via the Agreement.

The Agreement implementing legislation tasks the Secretary of Commerce with carrying out the agreement and authorizes him to issue regulations to implement the Treaty. The Agreement established, for the first time, agreed percentage shares of the transboundary stock of Pacific hake, also known as Pacific whiting. It also created a process through which U.S. and Canadian scientists and fisheries managers recommend the total catch of Pacific hake each year, to be divided between the countries by a set percentage formula. Stakeholders from both countries have significant input into this process. The Agreement not only allows the Parties to prevent overfishing, but also provides long-term stability for U.S. fishers and processors and a structure for future scientific collaboration.

Current Issues

Both countries have appointed all of their respective members to the Agreement's four panels and committees—the Joint Technical Committee, Scientific Review Group, the Advisory Panel, and the Joint Management Committee.

The United States and Canada will meet on March 17-19, 2015 in Lynwood, Washington, to review and comment on the 2014 Pacific hake stock assessment. Based on the Joint Technical Committee's stock assessment, the review by the Scientific Review Group, and advice from the Advisory Panel, the Joint Management Committee will recommend to the Parties a total allowable catch (TAC) for 2015.

For 2014, the coastwise adjusted TAC was 428,000 metric tons. Preliminary indications show that the population size can support a 2015 TAC at the same level, and possibly higher. However, the parties are discussing various management strategies for whiting and have embarked on a "management strategy evaluation" to better inform these discussions. Following the March 2015 meeting, each Party will review and make a decision on the Joint Management Committee's recommendation via its own internal process. A final decision is expected from both parties in late April or early May 2015.

More information on the Pacific Hake/Whiting Agreement can be found at:

http://www.westcoast.fisheries.noaa.gov/fisheries/management/whiting/pacific_whiting_treaty.html.

Staff Contacts

NOAA Fisheries

Northwest Region

Frank D. Lockhart
Senior Policy Advisor, Groundfish and
Coastal Pelagic Species
Sustainable Fisheries Division
National Marine Fisheries Service – West Coast Region
7600 Sand Point Way NE
Seattle, WA 98115
Telephone: (206) 526-6150
Email: frank.lockhart@noaa.gov

Headquarters

Paul Niemeier
International Fisheries Affairs Division (F/IA1)
Office of International Affairs and Seafood Inspection
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 10659
Silver Spring, MD 20910
Telephone: (301) 427-8371
Email: paul.niemeier@noaa.gov